

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	10/616,697
		Filing Date	July 9, 2003
		First Named Inventor	Michael Bennett, et al.
		Art Unit	1632
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	020714-001120US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Joseph R. Snyder Reg. No. 39,381
Signature	
Date	March 11, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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Signature		Date	March 11, 2004

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On March 11, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: *Justin C. G. [Signature]*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Michael J. Bennett, et al.

Application No.: 10/616,697

Filed: July 9, 2003

For: METHOD FOR NUCLEIC ACID  
TRANSFECTION OF CELLS

Examiner:

Art Unit: 1632

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the Search/Examination report corresponding to the European application.

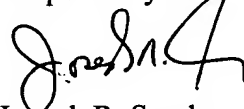
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

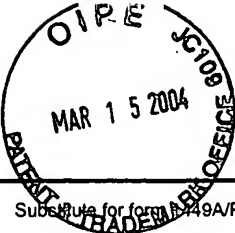
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Joseph R. Snyder  
Reg. No. 39,381

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60152129 v1



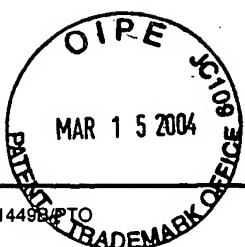
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/616,697		
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		First Named Inventor			
		Art Unit	1632		
		Examiner Name			
Sheet	1	of		Attorney Docket Number	020714-001120US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	AA	US-			
	AB	US-			
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	AG	US-			
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	AI	US-			
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AU	WO	96 37194		11/28/96	Somatix Therapy		<input type="checkbox"/>
	AV	WO	99 60149		11/25/99	Univ Iowa		<input type="checkbox"/>
	AW	WO	97 40679		11/06/97	Imarx Pharm		<input type="checkbox"/>
	AX							<input type="checkbox"/>
	AY							<input type="checkbox"/>
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



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			Application Number	10/616,697	
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			Art Unit	1632	
			Examiner Name		
Sheet	2	of		Attorney Docket Number	020714-001120US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	BC	KEJNOVSKY EDUARD ET AL.; "Millimolar concentrations of zinc and other metal cations cause sedimentation of DNA; Nucleic Acids Research; December 1, 1998; Vol. 26, no. 23, pages 5295-5299; Oxford University Press	
	BD	NIEDZINSKI, OLSON, CHEN, UDOVE, NANTZ, TSENG, BOLAFFI, BENNETT; "Zinc Enhancement of Nonviral Salivary Gland Transfection"; Molecular Therapy, March 2003; Vol. 7, No. 3, pages 396-400	
	BE	NIEDZINSKI, CHEN, OLSON, PARKER, PARK, UDOVE, SCOLLAY, McMAHON, BENNETT; "Enhanced systemic transgene expression after nonviral salivary gland transfection using a novel endonuclease inhibitor/DNA formulation; Gene Therapy Dec. 2003, vol. 10, no. 26, pages 2133-2138; Nature Publishing Group	
	BF	PICHON CHANTAL et al.; "Zinc improves gene transfer mediated by DNA/cationic polymer complexes"; The Journal of Gene Medicine; September 2002, Vol. 4, no. 5, pages 548-559.	
	BG		
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Examiner Signature		Date Considered	
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.